

AGENDA ITEM #11

March 15, 2003

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: DRAFT Interim Process for Review of Recreation Improvements and Enhancements for Proposed CALFED Projects
(For Public Hearing and Commission Action)

**INTERIM PROCESS
FOR REVIEW OF RECREATION IMPROVEMENTS AND ENHANCEMENTS
FOR PROPOSED CALFED PROJECTS**

Staff Recommendation:

Hold a public hearing and discuss the proposed Interim Process for Review of Recreation Improvements and Enhancements for Proposed CALFED Projects (Interim Process). If the Commission believes the proposed Interim Process is the appropriate approach for review and comment on the recreation component of proposed CALFED projects, the Commission should vote to direct staff to forward the Interim Process to CALFED for inclusion in the Delta Implementation Plan. The Interim Process should also be forwarded to CALFED agencies to use until a Delta Implementation Plan is prepared and adopted by CALFED.

Background:

CALFED is moving forward with various projects to implement the overall program described in the Record of Decision (ROD) signed August 28, 2000. As described below, CALFED committed to including recreation improvements in the individual projects as they are designed and developed.

In the absence of a Delta Recreation Master Plan, the Recreation Citizens Advisory Committee (RCAC) agreed that an interim process for review of individual recreation proposals is appropriate, timely, and necessary. Research for the interim process was provided by The Dangermond Group using unspent funds associated with the \$20,000 contract with the Commission for preparation of a Request for Proposals for a consultant to prepare the Delta Recreation Master Plan. The Dangermond Group research was used to prepare the Interim Process described below.

Review by the Recreation Citizens Advisory Committee:

The RCAC reviewed the draft Interim Process at two meetings. The RCAC will review the draft Interim Process at a third meeting to be held Tuesday, March 25, 2003. Any comments presented at that meeting will be presented to the Commission at the March 27, 2003 Commission meeting.

CALFED's Commitment to Recreation:

The January 21, 2003 draft was circulated and discussed at the February 4, 2003 RCAC meeting. At that time, staff made a presentation about the need for an interim strategy and how the proposed strategy would be implemented. Members of the RCAC discussed the proposal and asked for additional time to review the staff report.

Editorial comments were submitted by Bill Curry of Department of Boating and Waterways. No other comments were submitted. Delta Protection Commission staff will be placing consideration of the memo of the Commission's March 27, 2003 meeting agenda, subject to final comments and recommendation by the RCAC.

If the RCAC approves the revised draft, and if the Commission recommends moving forward with this approach, the memo will be circulated to CALFED and the CALFED agencies for review, discussion, and incorporation into the Delta Implementation Plan.

Background:

The "responses to comments" on the CALFED Draft Programmatic Environmental Impact Statement/Environmental Impact Report stated "Even though enhancing recreation opportunities is not a specific Program objective of CALFED, the Program's focus on ecosystem restoration and water quality in the Delta is expected to improve overall conditions for recreation in the Delta. Mitigation strategies that are identified in the Programmatic EIR/EIS (e.g., providing public information regarding access and facilities) are expected to enhance public awareness about Delta resources and opportunities. In addition, the mitigation strategies in the Programmatic EIS/EIS include strategies for enhancing recreation opportunities and involving local communities in the process."(p. IA-7.7-4, July 2000).

The "responses to comments" also stated "...CALFED will participate in the recreation planning process, which is expected to proceed concurrent with CALFED's project-specific implementation planning for Program actions...CALFED is committed, however, to participate in funding this effort in partnership with other state, federal, and local agencies. CALFED also is committed to determining early in the Phase III process the level of funding that would be available for the master planning process. CALFED will support the DPC and DBW in developing and implementing a recreation master plan for the Delta...CALFED recognizes the valuable suggestion made by the Delta recreation ad hoc committee for addressing existing recreation deficiencies in the Delta and ways to enhance recreation opportunities. CALFED is committed to considering these ideas in the master planning process and as possible mitigation for impacts caused by Program

actions. CALFED concurs that representatives of this [recreation] ad hoc committee should participate in the master planning effort." (p. IA-7.7-5, July 2000).

In addition, the Record of Decision (ROD), signed in August 2000, included mitigation measures. Recreation Mitigation Measure No. 1 states "Incorporate project-level recreation improvements and enhancements." (p. A-15, August 28, 2000).

The Need for an Interim Process:

To date, no funding has been provided by CALFED for preparation of a Delta Recreation Master Plan. The Delta Protection Commission provided \$20,000 to fund preparation of a Request for Proposals to use in selecting a consultant to carry out the planning work when funds are available and developing this interim process. In addition, staff of Delta Protection Commission has administered the RCAC and the staffs of Department of Boating and Waterways, Department of Parks and Recreation, and Department of Fish and Game have participated on the RCAC.

Without a Delta Recreation Master Plan, the RCAC determined there is a need for an Interim Process to use to evaluate proposed CALFED projects and to comment on the type, amount, and location of proposed recreation mitigation and enhancements.

Definition of Project:

California Environmental Quality Act (CEQA) defines a project as

- An activity directly undertaken by a public agency, including public works construction activities, clearing or grading of land, improvements to existing public structures;
- An activity that is supported, in whole or in part, through public agency contracts, grants, subsidies, loans, or other assistance from a public agency;
- An activity involving the public agency issuance of a lease, permit, license, certificate, or other entitlement for use by a public agency.

Proposed CALFED Projects in the Legal Delta [as defined in the State Water Code, Section 12220]:

The ROD lists many actions as part of the preferred alternative that are projects, including but not limited to:

- Ecosystem Restoration: restore habitat in the Delta and Yolo Bypass, including Franks Tract.
- Storage: In-Delta storage of approximately 250 thousand-acre feet of water and expand Los Vaqueros Reservoir by up to 400 thousand-acre feet.
- Conveyance: South Delta:
 - Increase State Water Project pumping to 8,500 cubic feet per second, and eventually to 10,300 cubic feet per second.

- Design and construct new fish screens at the Clifton Court Forebay and Tracy pumping plant.
- Dredge and install operable barriers to ensure water of adequate quantity and quality to ag diverters in the South Delta.
- Design and construct floodway improvements on the lower San Joaquin River to provide conveyance, flood control and ecosystem benefits.
- Conveyance: North Delta:
 - Evaluate and implement improved operational procedures for the Delta Cross Channel
 - Reduce ag drainage in the Delta, including early implementation projects on Veale and Byron Tracts to address fishery and water quality concerns.
 - Evaluate a screened through-Delta facility on the Sacramento River of up to 4,000 cubic feet per second.
 - Design and construct floodway improvements, such as on the lower Mokelumne River and Georgiana Slough, to provide conveyance, flood control, and ecosystem benefits.
- Conveyance: An intertie between the State Water Project and the Central Valley Project at or near Tracy.

Some CALFED projects will impact adversely impact recreation and require mitigation (such as permanent barriers that will block navigation on Delta channels). CALFED projects will also provide opportunities for "recreation improvements and enhancements". This memorandum outlines a process for review and comment on the proposed CALFED projects by the Ad Hoc Recreation Committee and the Delta Protection Commission.

Steps in the Interim Review Process:

STEP ONE: Preliminary Project Planning:

The CALFED agency proposing a project will consider recreation in its planning process. Then, the CALFED agency will present conceptual or preliminary project plans to the RCAC for early review and comment as to type, amount, and location of proposed recreation improvements and enhancements. Early review means: before an environmental document is released for public review and comment.

The CALFED agency will prepare a written analysis of recreation and appropriate maps for presentation to the RCAC to include:

- Brief description of the overall project and map of the project study area to be included in the environmental analysis, including estimated total project cost (land acquisition, planning, permitting, design, and construction).
- Description and map of all public and private recreation facilities and recreational uses within the study area.
- Description and map of all local, state, and federal government and special recreation district plans for recreation facilities within the study area.
- Description and map of site characteristics: soils, existing land uses, levees, ponds, waterways, landforms, vegetation, water quality, etc.

- Description and map of site land uses and existing structures, including public and private roads and bridges.
- Description of cultural and historic values of site.
- Land ownership on site and in the study area.
- List of all government, non-governmental organizations, recreation groups, or citizen groups contacted regarding recreation and recreational uses and needs in the study area and summary of their comments.
- Description of recreational needs identified by anglers and boaters in Sacramento-San Joaquin Delta Recreation Survey, August 1997.
- Description of recreational needs identified in any other plans or reports prepared for the project site.
- Any preliminary/conceptual plans for recreation mitigation and improvements.

STEP TWO: Proposed Recreation Improvements:

Step Two: the CALFED agency will present its proposed project including proposed recreation improvements and enhancements to the RCAC for its review and comment in writing. This can be at the time the draft environmental document is released for circulation.

The CALFED Agency will return to the RCAC with the following:

- Any changes to the information presented in STEP ONE.
- A description and maps of proposed recreation MITIGATION to be included in the project.
- A description and maps of proposed recreation IMPROVEMENTS to be included in the project.
- Estimated cost of improvements, including 10-year maintenance, and proposed and/or possible funding sources.
- Identification of what agency will own, operate and maintain the recreation improvements.
- A description of how the proposed improvements take advantage of the unique resources of the project location.
- A description of how the proposed improvements complement or build upon existing and proposed public and private recreation facilities and uses.
- A description of how the proposed improvements address identified needs of Delta recreation.
- A description of possible conflicts with adjacent land uses and description of how possible conflicts could be mitigated or eliminated through design, landscaping, fencing, buffer areas, etc.
- A description of how the proposed improvements promote the CALFED program goals.
- A description of how the proposed improvements meet the Policies of the Land Use and Resource Management Plan for the Primary Zone of the Delta.

STEP THREE: Review by Delta Protection Commission:

Step Three: The CALFED agency will then present its proposed project including proposed recreation improvements and enhancements with the written comments of the RCAC to the full Delta Protection for public review and comment.

The CALFED Agency will present to the Delta Protection Commission:

- All information from Steps One and Two, with corrections and changes.
- The written comments of the RCAC.
- Any other comments on the proposed recreation improvements.